

07-06-01

CPAS

**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST TRANSMITTAL (Larg Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

112857-034

 **DUPPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

Koji Moriguchi

S. Hendrickson

1754



Address to:  
 Assistant Commissioner for Patents  
 Box CPA  
 Washington, D.C. 20231

This is a request for filing a  continuation, or  divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/292,834 filed on April 16, 1999

and entitled:

GRAPHITE POWDERS SUITED FOR NEGATIVE ELECTRODE MATERIAL OR LITHIUM ION SECONDARY BATTERY

1.  Enter the unentered amendment previously filed on May 7, 2001 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent is enclosed.
5.  An Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations
6.  The fee for this application is calculated as follows:

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 JUL 12 2001  
 TC 1700 MAIL ROOM

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims		- 20 =	0	x \$18.00	\$0.00
Indep. Claims		- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable)			<input type="checkbox"/>		\$0.00
07/11/2001 BNNGUYEN1 00000104 09292834				<b>BASIC FEE</b>	\$710.00
01 FC:131	710.00	0P		<b>TOTAL FILING FEE</b>	\$710.00

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

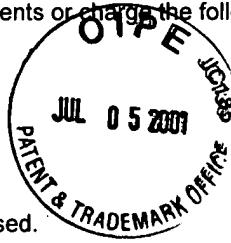
7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-1818

- fees required under 37 C.F.R. 1.16.
- fees required under 37 C.F.R. 1.17.
- fees required under 37 C.F.R. 1.18.

8.  A check in the amount of \$710.00 is enclosed.

9.  Also enclosed:

- Petition for Extension of Time (Large Entity) requesting a two-month extension, in duplicate;
- Check in the amount of \$390.00 for filing Petition for Extension of Time;
- Preliminary Amendment;
- Certificate of Mailing by "Express Mail"; and
- Self addressed, postage prepaid postcard.

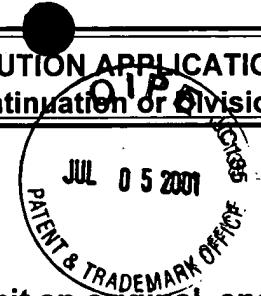


10.  The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

Thomas C. Basso, Esq.  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Larg Entity)  
(Only f r Continuation or Divisional Applications Under 37 CFR 1.53(d))



NOTES

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**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: July 5, 2001

Signature

Thomas C. Basso

Typed or printed name

46,541

Registration Number (if applicable)

- Inventor(s)  
 Assignee of complete interest  
 Attorney or agent of record

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Koji Moriguchi et al.

Docket No.

112857-034

Serial No.

09/292,834

Filing Date

April 16, 1999

Examiner

S. Hendrickson

Group Art Unit

1754

Invention: GRAPHITE POWDERS SUITED FOR NEGATIVE ELECTRODE MATERIAL OR  
LITHIUM ION SECONDARY BATTERY  
PATENT & TRADEMARK OFFICE  
JUL 05 2001

I hereby certify that the following correspondence:

Continued Prosecution Application (Large Entity) in duplicate; Check in the amount of \$710.00 for filing CPA;  
Preliminary Amendment; Petition for Extension of Time (Large Entity) request for two month extension, in  
duplicate; Check in the amount of \$390.00 for filing Petition for Extension of Time; and self addressed, return receipt  
postcard.

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

July 5, 2001

(Date)

Robert J. Brucieri  
(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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(Express Mail Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

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